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FACSIMILE TRANSMITTAL SHEET

TO: Examiner Brian Hearn

FIRM/COMPANY: Mail Stop Petition

FACSIMILE NUMBER: (703) 872-9306

**CONFIRMATION
TELEPHONE:**

FROM: Ruth Der, Paralegal

DIRECT DIAL: 415.371.2231

DATE: March 18, 2005

USER NUMBER:

FILE NUMBER: U.S. Serial No. 09/981,525, Atty. Docket No. R0367-00401

TOTAL # OF PAGES: 6
(INCLUDING COVERSHEET)

MESSAGE: Attached are *Petition To Add An Inventor Pursuant to 37 CFR§1.48(a) And Request For Corrected Filing Receipt Thereto* and copy of Page 3 of 3 of *Combined Declaration And Power Of Attorney For A Utility Patent Application*.

Please confirm receipt of this facsimile.

NOTE: Original will NOT follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 415.371.2200.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

) Examiner: Not yet assigned

) Group Art Unit: 3736

For: **TISSUE ACQUISITION SYSTEM AND
METHOD OF USE**

Serial No.: 09/981,525

TRANSMITTAL

Filed: October 16, 2001

Atty. Docket No.: R0367-00401

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this these papers are being sent by facsimile to (703) 872-9306 to the attention of Examiner Brian Hearn,
Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

on 3/18/2005 in San Francisco, CA.
By: [Signature]

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application are

- X Petition To Add An Inventor Pursuant to 37 CFR §1.48(a) And Request For
Corrected Filing Receipt Thereto; and
X Copy of page 3 of 3 of Combined Declaration And Power Of Attorney For A Utility
Patent Application; and

2. Fees Due

- X Petition fee, 37 CFR §1.17(i), \$130.

2. Payment of Fees

- X The Commissioner is authorized to charge any fees due and to credit any
overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to
Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00401.
A duplicate copy of this transmittal is enclosed.

Respectfully submitted,

By: [Signature]

Edward J. Lynch
Registration No. 24,422
Attorney for Applicants

DUANE MORRIS LLP
One Market, Spear Tower, Ste 2000
San Francisco, CA 94105
Telephone: (415) 371-2200
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COPY

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CENTRAL FAX CENTER**MAR 18 2005****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of
Burabnk et al.
For: **TISSUE ACQUISITION SYSTEM AND
METHOD OF USE**
Serial No.: 09/981,525
Filed: October 16, 2001
Atty. Docket No.: R0367-00401

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Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,
on 3/18/2005 in San Francisco, CA.

By: **PETITION TO ADD AN INVENTOR PURSUANT TO 37 C.F.R. §1.48(a) AND REQUEST
FOR CORRECTED FILING RECEIPT THERETO**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

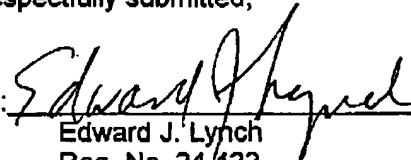
At the recommendation of the Petition Examiner, Applicants hereby petition in the above-identified application to have included the name Martin V. Shabaz as joint inventor. When filing the Request For Filing A Divisional Application Under 37 CFR §1.53(b) on October 16, 2001, Applicants inadvertently omitted page 3 of 3 of the Combined Declaration And Power Of Attorney For Utility Patent Application, which detailed the fourth joint inventor. It is apparent that a page 3 to that document existed in the way which the submitted first two pages of that document were page numbered at the bottom location of each page; i.e., page 1 of 3 and page 2 of 3. Enclosed herewith is a copy of the previously inadvertently omitted page 3 of 3 of that combined Declaration And Power Of Attorney For Utility Patent Application. It has always been the intent that Martin V. Shabaz be listed as joint inventor.

Additionally, Applicants request a corrected Filing Receipt on the basis of this petition granted thereto.

The Commissioner is authorized to charge the required fees for this communication and to credit any overpayment to Deposit Account No. 04-1679, referencing Atty. Docket No. R0367-00401.

Respectfully submitted,

By:



Edward J. Lynch
Reg. No. 24,422
Attorney for Applicants

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